

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-030345
		TRIAL NO. B-0202901A
Plaintiff-Appellee,	:	
		<i>JUDGMENT ENTRY.</i>
vs.	:	
TROY YOUNG,	:	
Defendant-Appellant.	:	

This appeal is considered on the accelerated calendar under App.R. 11.1(E) and Loc.R. 12, and this Judgment Entry is not an Opinion of the Court under S.Ct.R.Rep.Op. 3(A).

Defendant-appellant Troy Young appeals his sentence for five counts of trafficking in and possession of cocaine. He argues that the trial court improperly imposed a sentence that was more than the minimum, which violated his Sixth Amendment rights. We sustain his sole assignment of error, vacate his sentence, and remand for resentencing under our recent holding in *State v. Montgomery*.<sup>1</sup>

We note that although Young has not mentioned this in his appellate brief, the trial court also failed to state on the record its findings necessary for imposing consecutive sentences.<sup>2</sup>

A certified copy of this Judgment Entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**HILDEBRANDT, P.J., GORMAN and PAINTER, JJ.**

*To the Clerk:*

Enter upon the Journal of the Court on March 16, 2005  
per order of the Court \_\_\_\_\_.  
Presiding Judge

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<sup>1</sup> 1st Dist. No. C-040190, 2005-Ohio-1018.

<sup>2</sup> See *State v. Comer*, 99 Ohio St.3d 463, 2003-Ohio-4165, 793 N.E.2d 473.